

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**DEREK LAMB on Behalf of Himself and  
on Behalf of All Others Similarly Situated,**

**Plaintiff,**

**V.**

**BRAHAMPUTRA, LLC,**

**Defendant.**

**CIVIL ACTION NO.: 2:20-cv-12145**

**[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION FOR CONDITIONAL  
CERTIFICATION AND COURT-AUTHORIZED NOTICE PURSUANT TO 29 U.S.C. §  
216(b)**

THIS CAUSE came before the Court upon Plaintiff’s Motion for Conditional Certification and Court-Authorized Notice Pursuant to 29 U.S.C. § 216(b). Being fully advised, the Court finds as follows:

**IT IS ORDERED that:**

(1) Plaintiff’s Motion is GRANTED. The proposed collective is preliminarily certified as follows:

**All current and former integrators and all workers in substantially similar positions classified as independent contractors by BrahamPutra, LLC at any time from September 1, 2017 through the present.**

(2) Plaintiff’s Motion for Court-authorized Notice is GRANTED as requested in Plaintiff’s Motion. Plaintiff’s proposed Notices (mail, email, and text message), Consent Form, and Reminder Postcard are timely, accurate, and neutral. The Court hereby adopts, approves, and orders that such Notices and Consent Forms shall be disseminated to all putative collective members. The Notice shall be sent to all putative collective members by U.S. Mail, email, and via

text message where available. To that end, Defendant is directed to provide Plaintiff's Counsel with the last known mailing address(es), telephone number(s), and email address(es) for all putative collective members in a computer-readable format (such as Microsoft Excel) by no later than five (5) days after this Order is entered in order to effectuate transmittal of the notices in a timely and efficient fashion. The opt-in period shall be sixty (60) days from the date of first mailing the Notice.

(3) Plaintiff's proposed Mail Notice, Email Notice, and Reminder Postcard are hereby approved and adopted. Plaintiff's Counsel shall send the mailing and email notice to each putative collective members' last-known mailing address and email address, where available. Plaintiff's Counsel shall be permitted to conduct a skip trace or other public records search to inquire about updated mailing and/or email address records, and is permitted to re-send the Notice to such updated addresses where not previously disclosed by Defendant.

(4) Plaintiff's proposed Text Message Notice is hereby approved and adopted. Plaintiff's Counsel shall send a text message to each putative collective member's last-known cellular telephone number. Plaintiff's Counsel shall be permitted to conduct a skip trace or other public records search in an effort to reasonably inquire that the last-known cellular telephone number actually belongs to the intended recipient putative collective member before sending the text message.

(5) Plaintiff's Reminder Postcard is approved, and on the thirtieth (30<sup>th</sup>) day of the opt-in period, the Reminder Postcard shall be sent to all putative collective members who have not yet returned a signed opt-in consent form in this case.

(6) Plaintiff's proposed Consent Form is adopted and appropriate. Plaintiff's Counsel shall be permitted to post the Mail Notice and Consent Form on a public-facing website where

putative collective members can view the notice and opt-in form, and where they can sign the Consent Form electronically if they so choose. Putative collective members may sign the Consent Form manually or electronically, and may submit the signed form to Plaintiff's Counsel via mail, email, fax, or by other electronic means such as DocuSign or other similar service.

(7) Defendant shall not retaliate against Plaintiff or putative collective members in any way for joining the action, speaking with Plaintiff's Counsel, or providing assistance to Plaintiff in any way. Defendant shall instruct its managerial employees and other agents with supervisory authority over Plaintiff and/or the putative collective members not to opine or comment to the workers about the lawsuit, to interfere (directly or indirectly) with the workers' rights to join or participate in the lawsuit, and shall instruct these supervisory agents not to pressure or influence the workers to join or not to join the lawsuit in any way.

SO ORDERED:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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PRESIDING JUDGE